

Congressman Bill Foster's Border Trip Report

This is a brief report on my visit to the U.S./Mexico border on a fact-finding mission to better understand how we must address the issue of immigration. As you may know, I was a scientist for 22 years, and I believe the best way to solve a problem is to ask questions and get all the facts. While I am still formulating my final policy recommendations, I wanted to share my first impressions with my constituents.

As your representative, I know that immigration is an important issue. As a businessman, I want to understand the way forward that properly respects the rights of U.S. citizens, the territorial integrity of the United States, the legitimate needs of U.S. businesses, and the human and legal rights of those wishing to enter the United States. As a scientist, one specific reason for my visit was an on-site technical evaluation of the electronic border fence which is being tested along part of the Arizona-Mexico border.

The conversations I had with Border Patrol Agents confirmed my initial thoughts that we need to first secure the border, followed by effective workplace enforcement and a realistic legal immigration program. While progress has been made, huge challenges remain.

The agents I met with are talented and professional individuals, and they indicated they were pleased with the recent funding increases provided by Congress. The extra money has been used in three ways: building additional conventional fencing and border infrastructure, hiring additional agents to patrol the border area, and the development and deployment of improved technological resources.



Rep. Foster inspects the border fence in Arizona. The steel bars, set in deep concrete pilings, are routinely forced apart by smugglers using car jacks.

The scene on the border is sobering. Our Border Patrol Agents are stretched thin while illegal aliens are developing more sophisticated techniques to cross the border. The drug smuggling business penetrating the U.S. is well funded and well organized, and the Mexican government is not always a reliable ally to the Border Patrol Agents attempting

to enforce the law. Congress has not passed real immigration reform since the 1980s, and the consequences of Congressional inaction are severe. What I saw at the border was startling and disheartening; we currently are in a difficult situation, and we need action to solve the immigration problem.

I left the U.S./Mexico Border with an appreciation of the work being done by the men and women who work for the U.S. Customs and Border Patrol and other Homeland Security Agents. We must dramatically increase the resources they need to secure our borders.

ARIZONA AND THE NOGALES SECTOR

I first traveled to the Nogales sector just south of Tucson, Arizona. Touring the Nogales Border Patrol Station, I spoke with Border Patrol Agents about their day-to-day work. At Nogales, one of the main problems agents face is drug smuggling. This sector has seen a substantial increase in smuggling since the border in California was strengthened. Marijuana is the most frequently smuggled drug seized in the Nogales sector, and the smugglers have created simple ways of carrying large quantities of drugs. Oftentimes, illegal aliens will pack 30-60 pounds of marijuana into a bundle, attach duct tape straps to the bundles, and carry the drugs like a backpack across the border. You can see the bundled drugs in the photo below. The agents have a successful track record intercepting these drugs, and work closely with the Drug Enforcement Administration (DEA) on the issue.



Congressman Foster is shown seized drugs by Agents at the Nogales Border Patrol Station.

I was able to join the agents on a patrol of the border between the U.S. and Mexico. Talking to the agents, I quickly realized the dangers that they encounter on a daily basis. The agents do not work with a partner; instead, they each go out in a small sports utility vehicle on their own to enforce border security, detain illegal aliens, and seize smuggled drugs. When illegal aliens travel across the border, they can travel in groups of a few or groups of a hundred, and everything in between. In other words, agents are often charged with arresting and detaining dozens or even a hundred illegal aliens - all on their own.

This one-against-many scenario means that the illegal aliens sometimes run from agents, as an agent cannot possibly successfully detain every member of the running group. In addition, sometimes illegal aliens are armed with guns or knives, but they also use regular objects as unconventional weapons. Agents repeatedly spoke of being "rocked," a situation in which illegal aliens throw large rocks at agents and their vehicles, sometimes from the other side of the fence. This is done to distract Border Patrol Agents while other members of the group smuggle people or drugs across the border. Many of these illegal aliens - and their professional guides or "coyotes" - are willing to do whatever it takes to gain entry into the United States, even if it means resorting to violence. Our agents are simply outnumbered and that is inexcusable.

THE HIGH-TECH BORDER FENCE

During the patrol in Arizona, I inspected the hi-tech electronic border fence in Nogales, referred to as Project 28. The border fence has two parts, a modest low-tech border fence which is backed up by a series of electronic observation towers spaced every few miles. Each tower has radar systems to detect motion of intruders, with infra-red and optical cameras which use computers to steer them in the direction of the radar signal. In theory, the electronic fence will allow a small number of operators to monitor a long stretch of the border. The operators will classify each intruder (single drug smuggler, group of illegal immigrants, local ranchers, tourists, or stray livestock), so that agents can quickly and appropriately be dispatched to the location of a security breach. Eventually, it is planned to have computer software track the location of each identified intruder. Each intruder, once classified by operators in the control room, will be continuously tracked on real-time electronic maps to provide "situational awareness" to agents in the field.



Rep. Foster inspects control room of the high-tech electronic border fence in Arizona.

However, the technology currently in place in the electronic fence has serious problems as well as fundamental technical limitations. First of all, certain weather conditions, like fog, can render the cameras useless. In the Arizona desert, this is rare, but near the coast of California, it is not. There are also obvious weaknesses in terrain that contain numerous gullies that smugglers can sneak through without being seen by the cameras or

radar. In addition, heavy thunderstorms and even jackrabbits create numerous "false alarms" for the radar system that overwhelm the ability of the agents in the control room to inspect each target detected by the radar. The system is being updated to a radar system operating at a different wavelength in an effort to mitigate this problem, but the jury is still out on what improvement this might bring. The software system is based on a commercial system used for dispatching police cars, and is being upgraded to a "battle control" type system that should do better at tracking multiple targets.

LACK OF AN ACCESS ROAD ALONG THE BORDER

One thing that I learned is that Border Patrol Agents do not have access to the entire border region due to the absence of an access road running along the border. The agents explained that often, securing the border was not the issue; rather, actually accessing the border is the biggest problem. Often, an intruder is identified by spotters on a mountaintop, but due to the rough Arizona terrain, the agents cannot physically get to the area in question. This is a difficulty both for intercepting human or drug smugglers and for providing humanitarian aid when victims are in distress. The few helicopters operated by the border patrol cost about \$5,000 per hour to operate. My conclusion from this is that investing in a reasonable quality access road is an action that must be included in any plan to improve border security.

TUNNELING

While the Border Patrol Agents are doing their jobs to the best of their abilities, the illegal aliens and smugglers have created both sophisticated and simple methods of eluding capture. For example, in some areas the cities have grown right up to the fence on both sides of the border. This makes it relatively easy to construct a tunnel connecting a home or warehouse on one side of the border to the other. Traditional methods of detecting tunneling (buried microphones, etc) are ineffective due to continual traffic noise and vibration from the surrounding city. In other places, a short connection between the sewer systems of the towns on opposite sides of the border can allow tons of drugs or hundreds of humans to quickly cross the border and mix into the city where they are hard to detect amidst the rest of the population. It is hard to imagine a truly effective barrier at the border that does not involve buying out and leveling a "buffer zone" on either side of the fence. Such a buffer zone will have to be quite wide, since tunnels more than half a mile long have been discovered. This indicates to me that if we are serious about a high quality border fence, this will be a very expensive proposition. In the meantime, we might wish to consider a moratorium on new construction near the border and increased security.

IMMIGRATION AND CUSTOMS AT THE SAN YSIDRO PORT OF ENTRY

The next day, I traveled to San Diego to the San Ysidro Port of Entry, which is the largest and highest volume port of entry in the world. San Ysidro separates Tijuana, Mexico and San Diego, California. I witnessed agents inspecting vehicles attempting to cross the border legally, and also witnessed the huge number of vehicles and persons waiting in line to enter the U.S. The vast majority of people were crossing the border legally, including tens of thousands who commute across the border every work day. Interspersed with these are a significant number of illegal immigrants, a small number of drug smugglers, and a tiny number of suspected terrorists. At the checkpoint, agents interview entrants and inspect vehicles and bags. They also verify that each person is able to legally enter the U.S. - a system that is often limited by the quality of the U.S. database on legal immigrants. The checkpoint also had an amazing photo gallery of the "secret compartments" in cars and trucks that had been used to conceal people, drugs and money passing across the border.

I was also able to learn about new x-ray technology that scans vehicles for smuggled humans, drugs and weapons. At San Ysidro, I interviewed one of the government contractors who was installing a state-of-the-art x-ray machine. A high-quality image is obtained while driving a car through the device at a few miles per hour. The technology is undergoing continuous improvement, but I walked away impressed with the machine's capabilities. Ultimately, the goal is to have software that analyzes the x-ray image, identifies the make and model of the car, subtracts off the image everything that it recognizes as standard car parts, and highlights on the screen any anomalies that it does not recognize. This will require some very impressive software that does not yet exist. When this technology is fully developed and deployed, it will simplify work for customs inspectors and be a powerful deterrent for drug and human smugglers. It is clear that an advanced x-ray system will be an important part of the future strength of customs inspections.

CARGO INSPECTION AT THE OTAY MESA CARGO FACILITY

At Otay Mesa Cargo Facility near San Ysidro, I spoke to the agents who inspect the cargo that enters the United States. The inspection equipment at both locations includes radiation detectors that are capable of detecting some, but not all, nuclear material and weapons. Despite new technology, one of the best resources agents have to inspect cargo is the K-9 unit. These drug-sniffing dogs do a wonderful job of detecting and pinpointing smuggled drugs or humans, and the training of the inspection dogs that I witnessed was fantastic. In fact, the agents at San Ysidro said that drug smugglers now use spotters with cell phones to alert them when the dogs go "on break" so that the drugs can be smuggled through with less chance of being caught.

Cargo inspection is a huge project, and while I know that the agents in charge of this facility are doing the best that they can, the amount of cargo that moves through the facility each day requires additional agents and resources to better monitor the materials that are being brought into our country. Solving the unsolved problem of incoming cargo

inspection is one of the key recommendations of the 9/11 Commission, and one that I intend to be actively involved in the coming session of Congress.



Rep. Foster watches as an Agent and drug-sniffing dog inspect cargo at the Otay Mesa Cargo Facility in California.

At Otay Mesa, I also talked with USDA inspectors who were responsible for inspecting agricultural produce. At present, they only have resources to focus on pests and plant diseases that threaten agriculture in the U.S. The much larger problem of protecting Americans against food poisoning and bioterrorism is one I am working on.

SMUGGLER'S GULCH NEAR SAN DIEGO



A Border Patrol Agent describes construction of border infrastructure in the "Smuggler's Gulch" area near San Diego.

In the border near the coast at San Diego, we visited an area of land dubbed "Smuggler's Gulch." This area has been a smuggling hot spot since it was used by Al Capone in the 1920s to smuggle alcohol during Prohibition. Many drugs are often smuggled across the border, including marijuana, heroin and meth, and the scope of the drug smuggling

problem is enormous. This area is literally a vast gulch in the middle of steep dirt hills with barely passable roadways. Efforts are underway to at least partially fill the area with a cement structure and add high-quality enforcement across roads to deter smugglers. However, the agents also described what happens when a "pea-soup" fog rolls in, so thick that "you cannot see your own elbow." When this happens, the drug and human smugglers throw a party, then get out their ladders and climb over the fence by the hundreds. At other times, they simply get out a cutting torch and cut a hold through the fence. This indicates the difficulty of the situation. However, without adequate physical infrastructure at the border and enough agents to patrol and monitor the border to deter and detain smugglers, we are ceding the war on drugs to the smugglers. This is unacceptable.

IMMIGRANT DETENTION FACILITIES

On the last day, I visited the Otay Mesa detention facility in California. This facility holds immigrants who have apparently entered the country illegally yet will not voluntarily be deported, so they are held here until their appeals are processed. The facility also holds illegal aliens who have not only entered the country illegally and have also committed a crime. These persons are held in the detention center until they are deported or receive a prison sentence. What I found most frustrating about this experience was the juxtaposition of the realities of these criminals and illegal aliens with the realities of hard-working Americans. There are millions of people in our country who are U.S. citizens and work multiple jobs, but still cannot afford health insurance. In contrast, at the Otay Mesa detention facility, every detainee is given access to full medical attention and is given the medicine they need to treat various diseases and conditions. It is simply not fair to ask hard-working American taxpayers to pay for the physical and mental health of illegal aliens while they themselves cannot access these same health care services.

MOVING FORWARD

The ultimate solution to our problems at the border will require not only strengthening our border, but also reducing the pressure on our border. The pressure from immigration must be reduced by returning to a system where legal, orderly employment is the norm. We must stop drug smugglers from entering our country and reduce the demand for illegal drugs in the United States. Terrorists and criminals must be detected and stopped at *all* border crossings, not just those of the United States. Finally, our problems at our borders will never go away until there are significant improvements in the standards of living and standards of law enforcement in Mexico and around the world. As one of the Border Patrol Agents in Arizona so poignantly stated, "we're dealing with a symptom of a bigger problem."

From a peak near Otay Mountain west of San Diego, I looked into the distance, over the border to Tijuana, a city of 2.3 million people, many of whom live in dire poverty. I saw the trails of smuggling routes across the mountains, the holes cut in the fences and the

tracks of illegal immigrants. It was here that the severity of the problem was most apparent to me. Our Border Patrol Agents are being asked to handle the enormous task of border security with a limited amount of resources and personnel. To enhance border security, we need to get more boots on the ground and new and improved technology.

The men and women who serve as agents in the Border Patrol are doing a fine job, and Congress must continue to fund and support their efforts to deter and halt illegal immigration. There are significant difficulties in retaining trained agents, and we must make an aggressive effort to recruit and hire additional agents to secure our borders.

Returning from my trip, I remain convinced that the key element of immigration reform must include workplace enforcement, like a strengthened and more reliable form of the e-verify program. Employers need to have a fast and reliable way to check if potential employees are legally able to work in the United States, and I strongly support employer verification. Many illegal aliens come into our country because they know that they can illegally find a job somewhere. If we send the message to people in other countries that they will not find a job if they illegally enter our country, we will reduce the incentive to illegally cross our borders, taking pressure off our Border Patrol Agents.

IN CONCLUSION

As a result of my fact-finding trip to the border, I am now more convinced than ever that we need to seriously address the issue of illegal immigration on a number of levels. We need to be prepared to spend a significant amount of money to secure our border. We need to greatly increase the number of agents at the border, and also provide these agents with the tools, including roads and physical barriers, that they need to perform their duties fully and efficiently. The relationship that Border Patrol Agents have with the Mexican government needs to be improved so that we can more easily identify who can and cannot legally enter the U.S., and also expedite the deportation process. Concerning the deportation process, we need to create enforcement policies that will allow for the immediate deportation of illegal aliens who commit crimes in our country. Finally, I would like to see a national database of American citizens, so that border patrol and employers can both quickly determine a person's citizenship status.

If you'd like to email me or view more pictures of my trip to the border, please visit my [Web site](#).

Sincerely,

A handwritten signature in cursive script that reads "Bill Foster". The signature is written in black ink and is positioned below the word "Sincerely,".

Bill Foster